

Wp. Thomas



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Jeter Systems Corporation

File: B-261995

Date: July 18, 1995

DECISION

Jeter Systems Corporation protests the award of a contract to Liberty Systems, Inc. by the Department of Commerce, National Institute of Standards & Technology under solicitation No. 52SBNB5C8559. Jeter states that its "product is technically equivalent if not superior" to the product offered by Liberty and that its proposed cost is more than 16 percent less.

Jeter does not set forth a valid basis for protest. A protester must set forth sufficient information to establish the likelihood that the protester will prevail in its claim of improper agency action. Robert Wall Edge-Request for Recon., 68 Comp. Gen. 352 (1989), 89-1 CPD ¶ 335. Here, Jeter provides no information in support of its assertion that its product is equivalent or superior to the awardee's. Its bare assertion, without more, is insufficient to establish the reasonable possibility that the protest is meritorious. Since the solicitation provides that award will be based on a best value determination taking into account technical factors as well as cost, Jeter must explain in some reasonable detail why the agency's technical evaluation was erroneous. In this regard, Jeter states that it has requested a debriefing. If, after the debriefing, Jeter finds that it has a valid basis for protest, it may properly file a protest with our Office at that time.

The protest is dismissed.

Ronald Berger
Ronald Berger
Associate General Counsel

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